

To: Sherron, Michael[michael.sherron@epa.ohio.gov]; Kiefer, Kirk[Kirk.Kiefer@dnr.state.oh.us]; Justice, James[justice.james@epa.gov]
Cc: Sferra, James[James.Sferra@epa.ohio.gov]; Gortner, Ed[ed.gortner@epa.ohio.gov]; Clouse, Kevin[Kevin.Clouse@epa.ohio.gov]; Irwin, Trevor[trevor.irwin@epa.ohio.gov]; Eggert, Michael[Michael.Eggert@epa.ohio.gov]; Baker, Michael[Mike.Baker@epa.ohio.gov]
From: Taliaferro, L
Sent: Tue 7/22/2014 7:49:41 PM
Subject: RE: Statoil Fish Kill - Further Information
[BE-9 Label.pdf](#)
[MSDS - BE 9.pdf](#)

In reading the label it appears that the product is used in injection wells associated with natural gas storage (think Columbia Gas facility off of Rt 33 near Sugar Grove) and in drilling oil and gas wells, in which case it would be disposed with the production fluids into a Class II well (regulated by ODNR Oil and Gas). Fluids with this in it could be disposed into Class I well (say VEI in NWDO) but definitely not into a shallow Class V well.

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From: Sherron, Michael

Sent: Tuesday, July 22, 2014 3:30 PM

To: Kiefer, Kirk; justice.james@epa.gov
Cc: Sferra, James; Gortner, Ed; Clouse, Kevin; Taliaferro, L; Irwin, Trevor
Subject: Statoil Fish Kill - Further Information

I had heard from FOSC Justice (I thought) that there might be a concern about the BE-9 biocide product wasn't properly registered for use in Ohio. I contacted the Ohio Department of Agriculture's Pesticide / Fertilizer Regulation program manager, James Belt, to make sure they had the correct information if they wanted to follow up. He was aware of the issue and indicated that Halliburton had previously registered the product but the registration had lapsed. They were contacted and corrected the paperwork error.

While on the phone we were discussing the BE-9 product and we researched the product label (see attached). The label instructions indicate that the product should be used at a concentration of 1,000 ppm to 10,000 ppm. We reviewed the MSDS (attached) which indicated that the ecotoxicity concentrations were less than 1 ppm. So, assuming that the product was being used in the concentration indicated on the product label, it is reasonable to conclude that, even diluted by the fresh water being used for firefighting, that this was the cause of the fish kill.

Mr. Belt also noted that there are instructions for repeat dosing on the label suggesting that this product may have a short half-life, although we were unable to identify any specific information that would confirm this.

Lindsay T: I copied you on this email just to make sure that this material at these concentrations is acceptable for disposal in an underground injection well. I believe it is, but wanted to make sure you also have the information.

If you have any questions, please let me know.

Thanks,

Mike